

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG

DERRICK R. THIGPEN,

Petitioner,

v.

CIVIL ACTION NO. 3:06CV1

JOYCE FRANCIS,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATION
AS TO PETITIONER'S MOTION FOR DEFAULT JUDGMENT

On this day the above styled matter came before the Court for consideration of the Report and Recommendation of Magistrate Judge James E. Seibert (Doc. No. 10), dated August 30, 2006, regarding the Petitioner's Motion for Default Judgment (Doc. No. 6), to which the petitioner did not object. Pursuant to 28 U.S.C. § 636(b)(1), this Court conducted a de novo review of the above. As a result, the Court is of the opinion that the **Magistrate Judge's Report and Recommendation (Doc. No. 10)** should be, and is hereby, **ORDERED** adopted. Accordingly, Petitioner's Motion for Default Judgment is **DENIED**.

It is so **ORDERED**.

The Clerk is directed to transmit true copies of this Order to the petitioner and all counsel of record herein.

DATED this 21st day of December, 2006.

/s/ Irene M. Keeley
IRENE M. KEELEY